

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

RESEARCH IN MOTION LIMITED,

*Plaintiff,*

-against-

ACE WIRELESS & TRADING, INC., ACE  
WIRELESS GROUP INC, ACE WIRELESS  
INC, RBE ENTERPRISES OF NY INC.  
(D/B/A ROBERT BRANDON  
ENTERPRISES), PROMOBILITY, INC.,  
QUALITY ONE WIRELESS, LLC,  
YAKETY YAK HOLDING LLC (D/B/A  
YAK WIRELESS), YY HOLDINGS, LLC,  
TOUCHSTONE WIRELESS, LP,  
PARAMOUNT WIRELESS, INC. (D/B/A  
PARAMOUNT PRODUCTS GROUP), ALL  
PRO DISTRIBUTING, INC., LAN  
GLOBAL, INC, JOHN DOES 1-50, and  
XYZ BUSINESSES

*Defendants.*

CIVIL ACTION NO. 3:09-1147

CONSENT PRELIMINARY  
INJUNCTION

Plaintiff Research In Motion Limited ("plaintiff" or "RIM"), having filed its complaint on December 4, 2009 and defendant Extreme Cell Phones and Accessories ("Defendant") having consented to this Preliminary Injunction,

NOW, THEREFORE, upon the consent of the parties hereto,

IT IS ORDERED, ADJUDGED and DECREED that the Preliminary Injunction be entered as follows:

1. This Court has jurisdiction of the subject matter of this action and over all the parties hereto.

85382600.1

2. The plaintiff's BLACKBERRY Trademarks and Trade Dress, described and defined in the Complaint filed in this action (hereinafter, "BLACKBERRY Marks"), which Complaint is incorporated herein and made a part hereof, are good, valid and enforceable in law as against defendant, and defendant accepts plaintiff's representation that plaintiff is the sole proprietor of all right, title and interest in and to said BLACKBERRY Marks.

3. Defendant and its successors, assigns, affiliates, agents, servants, employees and representatives, and all persons, firms and corporations in active concert or participation with Defendant who receive notice hereof, are hereby enjoined and restrained, until such time as this Court shall order otherwise, from:

(a) using any of the BLACKBERRY Trademarks or BLACKBERRY Trade Dress (as defined in the Complaint) or any name or any marks similar thereto in connection with the manufacture, sale, offer for sale, distribution, advertisement, or any other use of counterfeit batteries;

(b) using any logo, trade name, trademark or trade dress similar to any of the BLACKBERRY Trademarks or BLACKBERRY Trade Dress, which may be calculated to falsely represent or which has the effect of falsely representing that the services or products of Defendant is sponsored by, authorized by or in any way associated with RIM;

(c) infringing any of the BLACKBERRY Trademarks or BLACKBERRY Trade Dress;

(d) otherwise unfairly competing with RIM in the manufacture, sale, offering for sale, distribution, advertisement, or any other use of batteries;

(e) falsely representing itself as being connected with RIM or sponsored by or associated with RIM or engaging in any act which is likely to falsely cause the trade, retailers and/or members of the purchasing public to believe that Defendant is associated with RIM;

(f) using any reproduction, counterfeit, copy, or colorable imitation of any of the BLACKBERRY Trademarks or BLACKBERRY Trade Dress in connection with the publicity, promotion, sale, or advertising of batteries;

(g) affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation including words or other symbols tending to falsely describe or represent such goods as being RIM batteries and from offering such goods in commerce;

(h) diluting any of the BLACKBERRY Trademarks or BLACKBERRY Trade Dress;

(i) destroying any records documenting the manufacture, advertising, receipt, importation, shipment, purchase, sale, offer for sale or distribution of any products either purporting to be RIM batteries or batteries using any of the BLACKBERRY Trademarks or BLACKBERRY Trade Dress or any word or symbol similar thereto; and

(j) assisting, aiding or abetting any other person or business entity in engaging in or performing any of the activities referred in subparagraphs (a)-(j) above; and it is further

4. Defendant shall promptly segregate, quarantine and maintain any and all counterfeit RIM batteries if any are in or come into defendant's possession.

5. The Court shall continue to retain jurisdiction to construe, enforce, or implement the Preliminary Injunction upon the application of either party.

DATED: 3/31/2010

Approved:

Date: 12-10-09

*Paige Waldrop Mills*  
BASS, BERRY & SIMS PLC  
150 Third Avenue S  
Suite 2800  
Nashville, Tennessee 37201  
Tel: (615) 742-7770  
Fax: (615) 742-0429

Mark N. Mutterperl  
Colin Foley  
Jessica Parise  
FULBRIGHT & JAWORSKI L.L.P.  
666 Fifth Avenue  
New York, New York 10103  
(212) 318-3000

*Attorneys for Plaintiff*  
*Research In Motion Limited*

*Robert A. King*  
UNITED STATES DISTRICT JUDGE

Date: 12/15/09

*AOEL YAKAI*  
*XTRM CELLPHONES & ACCESSORIES*

Defendant